

Message Text

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ACTION AF-10

INFO OCT-01 EUR-12 IO-13 ISO-00 HA-05 CIAE-00 DODE-00
PM-05 H-01 INR-07 L-03 NSAE-00 NSC-05 PA-01
PRS-01 SP-02 SS-15 USIA-06 /087 W
-----001552 231158Z /14

R 230940Z DEC 77
FM AMEMBASSY PRETORIA
TO SECSTATE WASHDC 0013
INFO AMCONSUL CAPE TOWN
AMCONSUL DURBAN
USMISSION GENEVA
AMCONSUL JOHANNESBURG
AMEMBASSY LONDON
USMISSION USUN NEW YORK

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E.O. 11652: N/A
TAGS: PINT, SHUM, SF
SUBJECT: ANOTHER DEATH IN POLICE CUSTODY

1. ACCORDING TO DEC. 21 PRESS ACCOUNTS, AN ATTORNEY, MR. J. JACKSON, DURING BAIL HEARINGS ON FOUR PEOPLE CHARGED WITH PERJURY AND PUBLIC VIOLENCE, TOLD A PORT ELIZABETH REGIONAL COURT MAGISTRATE OF THE DEATH IN DETENTION OF A MZUKISI NOBHADULA. AS PART OF HIS ARGUMENT FOR BAIL, JACKSON APPARENTLY ALLEGED POLICE ASSAULTS ON THE FOUR. TO PROVE HIS POINT, HE STATED THAT ONE OTHER PERSON, NOBHADULA, WHO HAD ALSO BEEN CHARGED WITH PERJURY AND WHOM JACKSON WAS SUPPOSED TO DEFEND, HAD DIED IN POLICE CUSTODY ON DEC. 20. THE STATE PROSECUTOR OBJECTED TO JACKSON'S CLAIM, SAYING THAT JACKSON WAS JUST TRYING TO CREATE PRESS INTEREST. THE MAGISTRATE REPORTEDLY SUSTAINED THE OBJECTION, SAYING NOBHADULA'S DEATH WAS NOT RELEVANT TO THE CASE. HE DENIED BAIL ON THE GROUND THE
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ACCUSED, IF RELEASED, MIGHT NOT RETURN TO STAND TRIAL. THE ACCUSED ARE MS. NOMWULA ZEZULA, MS. ZUKISWA MLATELWA, MS. SISANA HENENE, AND MR. JOSEPH SAUKA. THEY WERE REMANDED UNTIL JAN. 6.

2. A SUBSEQUENT STATEMENT BY A PRISONS DEPARTMENT SPOKESMAN IN PRETORIA CONFIRMED NOBHADULA'S DEATH IN THE NORTH

END PRISON ON DEC. 20 "PRESUMABLY OWING TO NATURAL CAUSES."
A POST-MORTEM WILL BE HELD TODAY (DEC. 22). ACCORDING
TO A DEC. 22 PRESS STORY, A FIRM OF PORT ELIZABETH
ATTORNEYS HAS OBTAINED THE SERVICES OF PATHOLOGIST
DR. J.J. GLUCKMAN WHO WAS PRESENT AT THE BIKO POST-MORTEM AND
A WITNESS AT THE SUBSEQUENT INQUEST.

3. COMMENT: NOBHADULA'S DEATH CAME AS HE WAS AWAITING TRIAL
IN PORT ELIZABETH IN WHICH HE WAS A WITNESS. THESE
ARE CRIMINAL CHARGES, SO THEY PUT NOBHADULA IN A SOMEWHAT
DIFFERENT CATEGORY THAN OTHER DETAINEES WHO HAVE DIED
WHILE UNDER DETENTION FOR TERRORISM OR SECURITY ACT
VIOLATIONS. HOWEVER, THE PERJURY CHARGE ITSELF FLOWS
FROM A SECURITY ACT TRIAL AND MAY RELATE TO A REVERSAL
OR REFUTATION OF TESTIMONY GIVEN AS A WITNESS.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: DEATHS
Control Number: n/a
Copy: SINGLE
Sent Date: 23-Dec-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977PRETOR07057
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770479-0792
Format: TEL
From: PRETORIA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19771221/aaaaarqa.tel
Line Count: 78
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 82bdcafd-c188-dd11-92da-001cc4696bcc
Office: ACTION AF
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 09-Feb-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 138862
Secure: OPEN
Status: NATIVE
Subject: ANOTHER DEATH IN POLICE CUSTODY
TAGS: PINT, SHUM, SF
To: STATE
Type: TE
vdkgvwkey: odhc://SAS/SAS.dbo.SAS_Docs/82bdcafd-c188-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009